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August 23, 2011

Via ECF and Federal Express

The Honorable Dennis M. Cavanaugh, U.S.D.J.
United States District Court
District of New Jersey
Martin Luther King, Jr. Federal Building
United States Courthouse
50 Walnut Street
Newark, New Jersey 07101

**RE: *In re Merck & Co., Inc. Vytarin/Zetia Securities Litigation,*
Civil Action No. 08-2177 (DMC) (JAD)**

Dear Judge Cavanaugh:

In advance of the upcoming conference with the Court on August 31, 2011 regarding Lead Plaintiffs' motion to amend the original complaint in the above-referenced action, I write on behalf of the Lead Plaintiffs to submit a slightly revised amended complaint (attached) that Lead Plaintiffs intend to submit in the event that the Court grants Lead Plaintiffs' motion.

Lead Plaintiffs submitted a proposed amended complaint with their motion for leave. The attached amended complaint is meant to *replace* that document. The changes in the attached amended complaint to the one previously submitted are limited to the following:

- Paragraph 165 has been amended to (a) describe more specifically the employment position of CW 8 at Merck, and (b) change the end date of his Merck employment. This information was clarified at CW 8's deposition, which took place after Lead Plaintiffs filed their motion to amend.
- Paragraphs 356 and 357 have been added. These allegations relate to a statement that Lead Plaintiffs contend is false and misleading. The statements were inadvertently not included in our prior submission.

The Honorable Dennis M. Cavanaugh, U.S.D.J.

August 23, 2011

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Please contact me if you have any questions or need additional information.

Very truly yours,

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.

/s/ James E. Cecchi

JAMES E. CECCHI

Attachment

cc: (all via ECF w/ attachment)
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